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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,256	09/25/2003	Waheed A. Abbasi	2003P14537US	6573

7590 06/29/2005
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PUNNOOSE, ROY M

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary	Application No. 10/671,256	Applicant(s) ABBASI ET AL.	
	Examiner Roy M. Punnoose	Art Unit 2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification is objected to because of the following informalities: In the specification, on page 6, bottom paragraph, 5th line, the 'support structure' is referred to with the reference numeral 30 instead of 34. Appropriate correction is required.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the adjustment mechanism on the support structure as claimed in claims 1 and 8, and the data-processing system as claimed in claims 4 and 11 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

Art Unit: 2877

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiltermood et al (US_4,521,968).

5. Claims 1, 8 and 15 are rejected because:

A. Wiltermood et al (Wiltermood hereinafter) discloses an apparatus comprising a light emitter means 8 for emitting a columnar beam of light 9 (see col.2, lines 5-7), a support means 5 for fixedly supporting said light emitter means 8 relative to a cylindrical structure, a first centering means 15 having a pass-through light receiver 29 disposed at one end of said centering means at a position such that the center of said receiver 29 lies at the center of said first reference surface when an opposite end of said centering means is positioned to abut said first reference surface; a second centering means 11 having a light receiver 13 disposed at one end of said centering means at a position such that the center of said receiver 13 lies at the center of said second reference surface when an opposite end of said centering means is positioned to abut said second reference surface for determining the centerline of a cylindrical structure with a virtual tight-wire to accurately perform repair or other work on said cylindrical structure. However

Wiltermood do not teach of an adjustment means on said support structure of the emitter means for adjusting the position of said light emitter means in at least a horizontal and vertical direction and for aligning said beam of light to impact the center of said light receivers in said first and second centering means in the apparatus for determining the centerline of a cylindrical structure with a virtual tight-wire to accurately perform repair or other work on said cylindrical structure.

- B. Wiltermood teach of an adjustment means 27 (see col.2, lines 23-47) on the support structure of the receiver means 29 9 (see col.1, line 5 – col.4, line 48) for adjusting the position of said receiver means relative to the light beam from the light emitting source.
 - C. In view of Wiltermood's teaching of an adjustment means on the support structure, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the adjusting means to any of the supporting structure due to the fact that such an adjusting means would provide more options to better align the light emitting source to more accurately determine the centerline of a cylindrical structure with a virtual tight-wire to perform repair or other work on said cylindrical structure.
6. Claims 2, 9 and 16 are rejected because Wiltermood teaches of a tool-support structure comprising at least three bracing arms (see col.2, line 3 and Figure 1), a central portion having a pass-through light receiver 29, and a tool-support arm 39 for fixedly supporting a tool -a distance measuring tool in this instance (see col.2, line 61- col.3, line 22).
7. Claims 3 and 10 are rejected because Wiltermood teaches that the arms of said tool-support structure 39 further comprise a transducer for indicating the position of said central portion (see col.2, line 61-64).

Art Unit: 2877

8. Claims 4 and 11 are rejected because Wiltermood teaches of a data-processing system 55 (see Figure 1) and an automatic-adjustment mechanism for automatically adjusting said horizontal and vertical position of said light source until said beam of light passes through said light receivers of said first and second centering tool (see col.2, lines 39-47).

9. Claims 5 and 12 are rejected because in view of Wiltermood's teaching of adjustable bracing arms with an extendable portion for altering the length of said bracing arms, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have bracing arms which are spring-loaded due to the fact that the spring-loaded arms would be a cheaper alternate to Wiltermood's pneumatic arm.

10. Claims 6 and 13 are rejected because Wiltermood teaches of an automatic-adjustment mechanism comprises a stepper motor in electronic communication with said data-processing system (see col.2, lines 39+).

11. Claims 7 and 14 are rejected because Wiltermood teaches of a light source 8 comprising a laser light emitter (see col.2, line 5).

Conclusion

12. The prior art cited in the accompanying PTO-892 is made of record and not relied upon, **is considered pertinent** to applicant's disclosure.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Roy M. Punnoose** whose telephone number is **571-272-2427**.

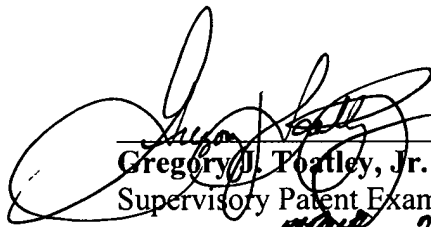
The examiner can normally be reached on 9:00 AM - 5:30 PM.

Art Unit: 2877

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gregory J. Toatley, Jr.** can be reached on **571-272-2059**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roy M. Punnoose
Patent Examiner
Art Unit 2877
June 24, 2005



Gregory J. Toatley, Jr.
Supervisory Patent Examiner
mmh 27 Jun 05